THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 24747 of 2005

Oral order:

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC.

The petitioner, while working as Conductor with the respondents, was removed from service. Assailing the order of removal, he filed I.D., which was allowed, with a direction to the respondents to reinstate the petitioner into service as Conductor with continuity of service, but without backwages.

Now the petitioner filed the present writ petition to declare the action of the respondents in not re-fixing the pay of the petitioner duly taking into account the notional increments for the period he was out of service, for had he been in employment, he would have been given the increments.

When the writ petition was taken up for hearing, it is submitted by the learned Standing Counsel for the respondents-Corporation that having regard to the judgment of the apex Court in **APSRTC v. Abdul Kareem**, wherein it was held that the workman is not entitled to any consequential relief on reinstatement as a matter of course, unless specifically directed by forum granting reinstatement, the petitioner is not entitled to the relief of re-fixation of notional increments for the period he was out of service.

Inasmuch as the Labour Court while directing reinstatement of the petitioner into service has not awarded any consequential benefits, except continuity of service, having regard to the judgment of the apex Court in **APSRTC v. Abdul Kareem**, he is not entitled for the relief prayed for in the present writ petition.

Hence, the writ petition is dismissed. No costs.

N.V. RAMANA, J.

Date: 28th March, 2006.

KSR